

**BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS
MINUTES OF MEETING OF THE BOARD**

DATE: February 16, 2005

**PLACE: Department of Administration
One Capitol Hill, Conference Room B
Providence, RI 02908**

MEMBERS PRESENT: Dana M. Newbrook, Joseph A. Cirillo, James R. Carlson, Mark Saccoccio and Andrew Yates

OTHERS PRESENT: Sean Fontes, Special Assistant Attorney General

Dawne Broadfield, Board Executive

CALLED TO ORDER: Chairman Newbrook called the meeting to order at 3:45 pm. to commence Board business.

MINUTES OF THE MEETING OF THE BOARD

Vice Chairman Cirillo moved to approve the open meeting minutes of January 19, 2005 as printed and executive session meeting minutes of the January 19, 2005 as printed. Secretary Carlson seconded. Motion approved unanimously.

OPENING OF EXECUTIVE SESSION

Secretary Carlson moved to convene into executive session at 4:45 p.m. pursuant to RI General Laws, § 42-46-5 (a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and § 42-46-5 (a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Mr. Yates seconded. Motion approved unanimously.

CLOSING OF EXECUTIVE SESSION

Secretary Carlson moved to adjourn from executive session and to reconvene to an open meeting at 5:15 p.m. pursuant to R.I.G.L. §42-46-4. Vice Chairman Cirillo seconded. Motion approved unanimously.

Secretary Carlson moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Mr. Yates seconded. Motion approved unanimously.

Record of Votes Taken in Executive Session

(1) Secretary Carlson moved to record the votes taken in executive session in accordance with Rhode Island General Law §42-46-4 as follows. Mr. Yates seconded. Motion approved unanimously to close RI Department of Labor & Training – Ad in Providence Journal for hiring an Architect – Opinion and/or Interpretation requested from the

Attorney General's office as to whether or not the State and/or State Employees are exempt from the Board's statute 5-1-15.1 and does or does not require a Certification of Authorization (COA) to Practice Architecture and Dennis M. Haggerty vs. Steven L. Lerner of Lerner-Ladds & Bartels, Inc.

(2) Secretary Carlson moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Mr. Yates seconded. Motion approved unanimously.

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OLD BUSINESS

(1) League of Cities and Town (Pre-Qualifications) – Tech Note being Developed

Vice Chairman Cirillo developed a Tech Note. Chairman Newbrook and Secretary Carlson introduced this Tech Note to the Building Code Standards Committee. Chairman Newbrook gave the Tech Note to Daniel DeDentro, State Building Code Commissioner, to review it for compliance with the State Building Code requirements. Mr. DeDentro has made some changes and Chairman Newbrook was waiting to

speak to Mr. DeDentro in order to interpret his comments. It is the Board's goal to have Mr. DeDentro issue the Tech Note out of the Building Code Commission so that the Building Officials will have to follow it.

Chairman Newbrook updated the Board and informed them that the Tech Note that describes what profession can perform what service has been cut down to two pages and is continuing to be worked on.

(2) Secretary Carlson is suggesting a meeting to continue dialog concerning the Intern Development Program (IDP) leading to registration with representatives from the American Institute of Architects (AIA), RI School of Design (RISD) and Roger Williams University.

Secretary Carlson stated that there is no progress.

(3) 2005 Legislation - Interior Designers (2005 – S 0102).

Chairman Newbrook updated the Board that Senator Tassoni reintroduced the Interior Designer legislation and it is the same bill that was introduced previously. All interested parties got together and worked out a bill that was suitable and that bill was not introduced.

The 2004 and 2005 Interior Designer legislation will be circulated to

the Board members for their review and comment for the next meeting in order for the Board to come to a decision as to what position that they are going to take on this legislation.

Attorney Fontes will review the pending 2005 Interior Designer legislation, will research other jurisdictions' laws, and upon Chairman Newbrook's approval, a letter will be sent to the Senate at the conclusion that the bill is the practice of architecture and the Board of Examination and Registration of Architects is opposed.

(4) 2005 Legislation – Responsible Control.

Secretary Carlson updated the Board and stated that Attorney Visconti introduced legislation to The Honorable John J. McCauley, Jr., House of Representatives, to incorporate the National Council of Architectural Registration Boards' (NCARB) definition of "responsible control" and also referenced that term throughout the statute where appropriate. A bill number has not been issued to date.

(5) Statutes of Limitations/Construction Projects.

Chairman Newbrook stated that he received a copy of the above-referenced statute from Attorney Fontes. Attorney Fontes recommended that the Board make the statute or citation available to anyone interested, but not to offer legal advice.

(6) Board Appointments - Membership Appointments – Staggered Terms

Chairman Newbrook stated that Attorney Visconti introduced legislation for the Board member staggered term appointments. Chairman Newbrook spoke to the Governor's Office about the process. The Governor's Office will not consider the staggered appointments until the next term beginning 2009. Andrew Yates has a replacement, Wilbur E. Yoder, but Mark Saccoccio does not. The Board has recommended two people to replace Mr. Saccoccio, but the Governor has not acted. Chairman Newbrook, Secretary Carlson and Will Yoder were before the Senate Subcommittee on Appointments yesterday who voted them in. Now their nomination will go to the full Senate when the appointments come out of committee.

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(7) Investigation Procedures

Mr. Yates inquired as to the rules and procedures for future investigations as to what the investigator can do and how they do it. Attorney Fontes stated that Attorney Palombo is working on those rules and procedures and he was not present at this meeting. This item has been added to the agenda and continued to the next meeting.

BLUE BOOKS (RECIPROCITY)

(1) Mr. Saccoccio moved to approve the following Blue Books as submitted with an expiration date of December 31, 2005. Mr. Yates seconded. Motion approved unanimously.

(1) BONIN, Jeremy K. (4) TROCCOLO, Robert C.

(2) MacLEAN, Kenneth (5) WIDAWSKY, Warren Thomas

(3) MORIN, Michael P.

GREEN BOOK (APPROVAL TO TAKE ARCHITECTURAL REGISTRATION EXAM)

(1) Mr. Saccoccio moved to approve the following Green Book as submitted. Mr. Yates seconded. Motion approved unanimously.

(1) McGEORGE, Matthew Jason

GREEN BOOK AND EXAM RESULTS FROM CALIFORNIA AND MASSACHUSETTS FOR INITIAL REGISTRATION

(1) Robert H. Wooding - Mr. Saccoccio moved to approve the Green Book for Initial Registration for Mr. Wooding who has already taken

and passed all sections of the ARE in the States of California and Massachusetts. Vice Chairman Cirillo seconded. Motion approved unanimously.

CERTIFICATES OF AUTHORIZATION APPLICATIONS (See Attached List)

(A) Secretary Carlson moved to approve the applications for Certificates of Authorization for the Sole Proprietorships for Lawrence Maxwell, AIA, Architect, Bruce Monighan and Shelli Ulmer as submitted. Vice Chairman Cirillo seconded. Motion approved unanimously.

(B) Secretary Carlson moved to approve the application for Certificate of Authorization for the Sole Proprietorship for Stephen Fleshman Architect pending receipt of “no” responses to the questions on the application. Vice Chairman Cirillo seconded. Motion approved unanimously.

(C) Secretary Carlson moved to approve the application for Certificate of Authorization for the Corporation for Ed Wojcik Architect, Ltd. as submitted. Vice Chairman Cirillo seconded. Motion approved unanimously.

(D) Secretary Carlson moved to approve the renewal application for Certificate of Authorization for Thompson, Ventulett, Stainback &

Associates, A-14,177 as submitted. Vice Chairman Cirillo seconded. Motion approved unanimously.

(E) Secretary Carlson moved to deny the application for Certificate of Authorization for AOD Architecture Planning Design LLC due to no response to the Board's final notice for submittal of a Certificate of Good Standing from the RI Secretary of State's Office. Vice Chairman Cirillo seconded. Motion approved unanimously.

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NEW BUSINESS

(1) Continuing Education - Reciprocity

Mr. Saccoccio inquired that if an architect has been in an inactive status and requests reinstatement, would the Board require continuing education for those years the architect was not registered.

Mr. Saccoccio stated that the reason for continuing education is continued learning. The Board agreed that this should be discussed at the NECARB Joint Spring Meeting.

(2) New England Conference of Architectural Registration Boards (NECARB)

The NECARB Joint Spring Meeting is being held in Boston,

Massachusetts, on March 31 – April 3, 2005. Chairman Newbrook, Vice Chairman Cirillo, Secretary Carlson and Andrew Yates will be attending on behalf of the Board.

ADJOURNMENT

Chairman Newbrook informed the Board that the next Board meeting is scheduled for March 16, 2005 at 3:30 p.m. at One Capitol Hill, Conference Room B, Providence, RI 02908. Mr. Saccoccio moved to adjourn the meeting at 5:39 p.m. Secretary Carlson seconded. Motion approved unanimously.

Respectfully submitted,

James R. Carlson, NCARB, AIA
Secretary

JRC/dmb

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C. O. A. APPLICATIONS

Board Meeting of 16 February 2005

SOLES

**APPROVED – 02/16/05 – PENDING RECEIPT OF
STEPHEN FLESHMAN ARCHITECT - 0 - “NO” RESPONSES TO THE
QUESTIONS**

LAWRENCE MAXWELL, AIA ARCHITECT \$100. APPROVED – 02/16/05

BRUCE MONIGHAN \$100. APPROVED – 02/16/05

SHELLI ULMER - 0 - APPROVED – 02/16/05

LIMITED LIABILITY PARTNERSHIPS

LIMITED LIABILITY COMPANIES

CORPORATIONS

ED WOJCIK ARCHITECT, LTD. \$100. APPROVED – 02/16/05

RENEWAL APPLICATIONS

**THOMPSON, VENTULETT, STAINBACK & ASSOC. \$100. APPROVED
– 02/16/05**

Renewal–A-14,177 (See answer to question)

DENIAL

AOD ARCHITECTURE PLANNING DESIGN LLC DENIED – 02/16/05

**(No response to final notice or phone call
to provide a Cert. of Good Standing from
the Sec. of State to the Board)**

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